

Compliance Assessment Report CAR_NRW0039394

Permit being assessed: BB3891CG.

For: Cog Moors Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: Green Lane, Dinas Powys, CF64 2TR.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 16/02/2022.

Parts of permit assessed: Monitoring Returns Air Emissions

NRW Lead Officer: Lewis Evans.

Report sent to: Andrew Dixon, Energy Operations Manager on 07/03/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2 (c)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	0.2

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
G4	Please submit the reporting forms to NRW by the 28th February 2022	28/02/2022
G4	Please submit the report in line with permit condition 4.2.2 to NRW by the 11th March 2022 or a date agreed in writing with NRW.	11/03/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

EPR-BB3891CG - Dŵr Cymru Welsh Water Cog Moors Wastewater Treatment Works Advanced Anaerobic Digestion Facility

Dŵr Cymru Welsh Water (DCWW) submitted their annual Air emissions to Natural Resources Wales (NRW) on the 31st January 2022. DCWW are still required to submit the Performance reporting and a annual report as stated in permit condition 4.2.2.

Emission Point	Parameter	Limit	Result
A1	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	190 mg/m ³	177.02 mg/m ³
A1	Carbon Monoxide	-	223.95 mg/m ³
A1	Sulphur Dioxide	40 mg/m ³	13.73 mg/m ³
A2	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	190 mg/m ³	187.49 mg/m ³
A2	Carbon Monoxide	-	233.92 mg/m ³
A2	Sulphur Dioxide	40 mg/m ³	12.83 mg/m ³
A3	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	200 mg/m ³	96.18 mg/m ³
A3	Carbon Monoxide	-	16.79 mg/m ³
A3	Sulphur Dioxide	100 mg/m ³	0.69 mg/m ³

A4	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	200 mg/m ³	58.21 mg/m ³
A4	Carbon Monoxide	-	7 mg/m ³
A4	Sulphur Dioxide	100 mg/m ³	28.41 mg/m ³
A6	Odour	1000 OU _E /Nm ³	Submitted
A7	Odour	1000 OU _E /Nm ³	Submitted
A8	Odour	1000 OU _E /Nm ³	Submitted

The results for emission point A1 to A4 in the table above are all compliant and within the permitted limits. However, for emission point A6, A7 and A8 (Odour Control Units - OCU) initially DCWW had not submitted these results to NRW. On 02 March 2022, DCWW submitted the results for the OCU to NRW. We will now amend the scoring for this breach and remove (E1) Air – C3 (C3) A non-compliance which could have a minor environmental effect, relating to permit condition 3.5.1 (a), and the C3 score relating to notifying NRW of no monitoring to the OCU. Please ensure that monitoring of the OCUs is carried out according to the permit in the future.

Reporting forms

The site has *failed to submit* the following reporting forms.

- Water Usage
- Energy Usage
- Performance Indicators
- Waste Tonnage Return Form

There have been no agreements in writing regarding the changing of submitting date of these forms for Cog Moors. **Action #3: Please submit the reporting forms to NRW by the 28th February 2022. - Complete**

Since the original CAR sent on the 28th February 2022. DCWW have submitted the report, this action is now Complete.

We can have discussions on the submission date in the future on these forms.

Permit condition 4.2.2 states:

A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
- (b) the annual production /treatment data set out in schedule 4 table S4.2; and
- (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.

DCWW have failed to submit this report to NRW. This is a breach of the permit condition and will incur a non-compliance C4 score against DCWW. Please provide a report to NRW by the 11th March 2022 or a date agreed in writing.

Since the 28th Feb 2022, DCWW have submitted this information to NRW. However the score will remain as it was not originally submitted.

Action #4: please submit the report in line with permit condition 4.2.2 to NRW by the 11th March 2022 or a date agreed in writing with NRW. - Complete

END

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.